

# APPELLANTS REQUEST FOR THE BELOW NOTED PARTIAL TRANSCRIPTS AND DOCUMENTS FROM ORIGINAL RECORD AND THE CITED SUBSTANTIVE CONSTITUTIONAL GROUNDS IN SUPPORT OF PURPOSE OF THIS APPEAL

## I Documents Requested

- (1.) Documents previously requested in Criminal Docket Sheet No.s 40 And 41.
- (2.) Bill of Information used for WARRANTLESS Arrest.
- (3.) INFORMATION OF INFORMANTS PRIOR EVIDENCE OF A RELIABLE INFORMANT THAT SERVED AS BASIS FOR THIS WARRANTLESS ARREST AND PROBABLE CAUSE.

## II

## Substantive Constitutional Violations

- (1). The denial of Due Process right to be given a full and complete Colloquy under the "Fair and Just" Standards of the law governing plea agreements And the Failure of the Court To adhere to the mandatory provisions of Federal Rule Criminal Procedure, Rule 11, subdivision (c) (3)
- (2). The Failure of the Attorney General Trial Counsel, on This Court To provide ANY notice prior to this Court (that it would consider any other sentence) Accepting plea agreement based ON Counsel's proposal with Attorney General previously agreed on before Oct 15, 02 of 51-77 month sentencing Range,
- (3). The Coerced plea agreement exerted upon Defendant after He had entered a not guilty plea following illegal search and Seizure executed by P.B.I. who then failed to charge Defendant For (3) months, causing Defendant to be held under "Patriot" Act, as he was Denied Counsel until July, 02, hearing and Arrangement. And prior holding order from Probation officer was based on "EMINENT Arrest" that occurred officially (4) months Later. And then after Defendant agreed to accept plea agreement of 51-77 months, only because trial Counsel Patton repeatedly stated he could not prepare a defense, The terms of plea agreement were not adhered to, instead Counsel Patton was further ineffective by filing motion arguing "downward" Departure, instead of a pre-sentencing motion to withdraw upon Learning Court was considering departure from plea agreement.

(4) Because Defendant was denied his Due process right To withdraw his plea and pick a Jury to hear his case Due To the failure of Court or trial Counsel to give Defendant notice of this entitlement in a timely manner under the "Fair And Just" standard of Law governing plea agreement, because of the cumulative errors of Court, Attorney General and Trial counsel failing to give proper notice to Defendant of their intention not to Adhere to plea Agreement.

Accordingly This Notice of Appeal Follows trial Counsels Actions in pursuing a frivolous Appeal to Court of Appeals without This Defendants Request, consent or Authority. And the subsequent failed efforts of some inmates to help straighten out mess, who filed motions to Supreme Court which were procedurally defaulted Due to their Lack of legal knowledge.

## Certificate Of Service

James C. Carter did serve a copy of This Notice of Appeal on the below noted parties, Via First Class Mail U.S. Postal Service on this date of 8/12/05 And states all the information is true And correct under penalty of U.S.C.A. 28 §1746

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